

11-Apr-03 08:39

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GROUP 1600

Name: Examiner J. Venkat Name: Gregory M Hill
Location: USPTO Art Unit 1615 Location: 2500 Renaissance Blvd
Fax No.: 703-872-9306 Date: April 11, 2003

NUMBER OF PAGES 3 INCLUDING THIS COVER PAGE.

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DOCKET NO. H 2867 PCT/US

In re Application of:
Bernecker, et al.

Serial No.: 09/701,196

Examiner: J. Venkat

Filed: April 9, 2001

Art Unit: 1615

Confirmation No.: 8711

RESPONSE TO RESTRICTION REQUIREMENT (2 pages)

11-Apr-03 08:39

From: HENKEL CORPORATION PATENT DEPT.

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T-177 P-02/03 F-677

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PATENT
Docket No. H 2837 PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Bernecker, et al.

Serial No.: 09/701,196

Examiner: J. Venkat

Filed: April 9, 2001

Art Unit: 1615

Confirmation No.: 8711

TITLE: PREPARATION FOR TREATING HUMAN SKIN AND HUMAN HAIR COMPRISING A SPECIAL ACTIVE INGREDIENT COMBINATION, AND THE USE OF THIS ACTIVE INGREDIENT COMBINATION

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Assistant Commissioner for Patents at 703-872-9306 on the date shown below.

April 11, 2003

Date

Amy Alteborn

Signature of certifier

Amy Alteborn
Typed or printed name of certifier

RESPONSE TO RESTRICTION REQUIREMENT

Sir,

In response to the Restriction Requirement mailed on March 3, 2003, Applicants submit the following:

Remarks

The Examiner has issued a restriction between the following two groups of claims.

Group I: Claims 16-34, drawn to a composition and method for treating skin and hair.

Group II: Claims 35-37, drawn to a method of increasing the production of protein in human cells.

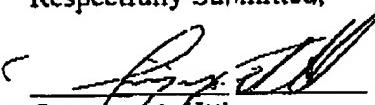
Serial No. 09/701,196
Docket No. H 2867 PCT/US

Applicants respectfully traverse this restriction for the following reason. The claims of Group I consist of using a composition comprised of biotin and a glycoprotein to restore vitality to hair and to improve the elasticity of skin. This is accomplished by increasing the production of protein in human cells, which is claimed in the claims of Group II. It is respectfully submitted that unity of invention exists between Groups I and II for this reason. The withdrawal of this restriction requirement is therefore requested.

For the sake of advancing the prosecution of this application and to comply with 37 CFR 1.143, Applicants provisionally adopt the claim : of Group I for prosecution in this application. No claims have been cancelled in order to afford the Examiner the opportunity to reconsider and withdraw the restriction requirement.

Applicants respectfully request the favorable examination of all pending claims and the prompt issuance of a notice of allowance. The Commissioner is hereby authorized to charge any deficiency in the required fee or to credit any overpayment in connection with this response to Deposit Account 01-1250.

Respectfully Submitted,



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